

2624
41



03500.014624.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
: Examiner: D. Q. Tran
NOBUAKI MIYAHARA)
: Group Art Unit: 2624
Appln. No.: 09/612,435)
:
Filed: July 7, 2000)
:
For: PRINT SERVER, METHOD, AND)
SYSTEM CAPABLE OF)
HANDLING DIFFERENT KINDS)
OF DATA (As Amended) : November 5, 2004

RECEIVED
NOV 12 2004
Technology Center 2600

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This paper has been filed in response to the Office Action dated October 5, 2004, imposing a restriction requirement in the above-identified case. In the Office Action the Examiner required restriction to one of the following inventions:

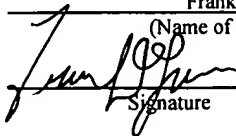
I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 5, 2004

(Date of Deposit)

Frank A. DeLucia (Reg. No. 42,476)

(Name of Attorney for Applicant)


Signature

November 5, 2004

Date of Signature

1. Group I (Claims 1-6), drawn to a print server having determination means for determining one of a BW image formation apparatus and color image formation apparatus which has an inserter having a sheet path not passing through a fixing unit, as a base, and instruction means for inserting one of the BW page and color page, set through the inserter and previously output, and simultaneously instructing to output the other of the BW page and the color page;
2. Group II (Claims 7, 8 and 10-16), drawn to an image formation system having control means with different transmitting timing of a first kind of image data to a first image formation apparatus and a second kind of image data to a second image formation apparatus in accordance with a function of the first image formation apparatus or a function of the second image formation apparatus;
3. Group III (Claims 17, 18 and 20-22), drawn to an image formation system having control means with different transmitting timing of image data to a first image formation apparatus and other forming apparatuses in accordance with a function of the first image formation apparatus or a function of the other image formation apparatuses;
4. Group IV (Claims 23-44), drawn to an operating system comprising an operation unit to cause to execute a first and second printing operation in which a first printing device to operate so that the first printing operation is started after the second printing operation was started when an inserter function in the first printing operation is used;
5. Group V (Claims 45-79), drawn to a print unit to cause a first printing device to execute a first printing operation based on first data output from the same data source which can output second data of an object to be printed in a second printing operation by a second printing device, in which the first printing device operates so that the first data is stored in the first printing device before the second printing operation is finished and the first printing operation can be started after the second printing operation is finished when the inserter function in the first printing operation is used; and
6. Group VI (Claims 80-92), drawn to a first printing device to operate so that first data stored in a first memory before a second printing operation is finished and the first printing operation based on the first data of the first memory can be started after the second printing

operation is finished when the inserter function in the first printing operation is used, and the first printing device to operate so that second data stored in a second memory before the first printing operation is finished and the second printing operation based on the second data of the second memory can be started after the first printing operation is finished when the inserter function in the second printing operation is used.

Applicant hereby elects, with traverse, Group I, Claims 1-6 for continued prosecution on the merits.

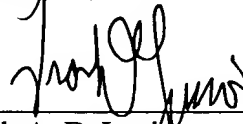
Regarding the traversal, Applicant submits that Claims 1-8, 10-18, and 20-22 (Groups I, II, and III), although subject to the restriction requirement, are in condition for allowance and should be considered as one group. Applicant, in the Amendment And Petition For Extension Of Time filed May 20, 2004, amended independent Claims 7, 15-17, 21, and 22, to include allowable subject matter, as indicated in the Office Action dated January 20, 2004. Further, Claims 1-6 were deemed allowable in the January 20, 2004 Office Action. Accordingly, Applicant believes there is no serious burden on the U.S. Patent and Trademark Office if Claims 1-8, 10-18, and 20-22 are considered as one group.

In view of Applicant's selection of Group I, Claims 1-6, Applicant submits that no separate consideration and search is required with regard to Claims 7, 8, 10-18, and 20-22, because they are believed to be in condition for allowance.

For this reason, favorable examination of Groups I, II, and III on the merits, and early passage to issue of the present application, are respectfully requested.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Frank A. DeLucia
Attorney for Applicant
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 462900v1